IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CIVIL WRIT PETITION NO. 3163/2002

PEOPLES OF MARUTI COLONY Vs. STATE OF RAJASTHAN & ORS.

DATE: 29.10.2007.

HON'BLE MR. JUSTICE K.S. RATHORE

Mr. R.K. Sharma for the petitioner.
Mr. Jinesh Jain and
Mr. Manu Bhargava for the respondents.

****

This writ petition is preferred by the petitioner seeking writ, order or direction directing the respondents to decide the representation dated 06.03.2002, which was filed by the petitioner for seeking regularisation of the petitioner's land and for issuing 'Patta' by the Jaipur Development Authority. Since the representation of the petitioner dated 06.03.2002 has not been decided so far, therefore, this writ petition has been preferred.

It is contended on behalf of the petitioner that the State of Rajasthan in order to ameliorate the problem arising in the regularisation of plot holder members of the co-operative society and also the plot holders who had purchased agricultural land from the Khatedars made several policies since the year 1981 the

Rajasthan Land Revenue (Allotment, Conversion and Regularisation of Agricultural Land for Residential and Commercial Purposes in Urban Areas) Rules 1981 were enacted by the State Government.

It is also contended that the State Government vide notification dated 10.07.99 issued certain directions for regularisation of the land. It is further submitted that the petitioner's Maruti Colony is within the jurisdiction of the JDA and the JDA has taken action under Section 90-B of the Rajasthan Tenancy Act and has issued a list of members and plot holders of the Maruti Colony and thus, the petitioner's case be considered under the notification and policy framed by the State Government and to this effect, the petitioner has made a representation before the JDA on 06.03.2002 and the same is alleged to be pending.

On the other hand, learned counsel appearing for the respondent JDA submits that the Khatedar of the land has raised a dispute with regard to the ownership of the land in question which is pending.

Be that as it may. Without entering into the merits of the case, whatever situation may be before the JDA, as the petitioner has already made a representation dated 06.03.2002, it is expected from the JDA to decide the same in accordance with the

provision of law and the petitioner can have only cause of action to challenge and file the writ petition if any adverse order is passed against the petitioner, but at this stage, the present writ petition is premature.

Consequently, the writ petition is dismissed being premature as observed herein above.

(K.S. RATHORE),J.

/KKC/